## **BOARD OF ADJUSTMENT MINUTES**

## OCTOBER 27, 2021

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers of the Norman Municipal Complex, 201 West Gray Street, at 4:30 p.m., on Wednesday, October 27, 2021. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at <a href="https://www.normanok.gov/your-government/public-information/agendas-and-minutes">https://www.normanok.gov/your-government/public-information/agendas-and-minutes</a> in excess of 24 hours prior to the beginning of the meeting.

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Item No. 1, being:

### **CALL TO ORDER**

Vice Chairman Curtis McCarty called the meeting to order at 4:33 p.m.

Item No. 2, being:

**ROLL CALL** 

MEMBERS PRESENT

Brad Worster Curtis McCarty Patrick Schrank

James Howard

MEMBERS ABSENT

Andrew Seamans

A quorum was present.

STAFF PRESENT

Lora Hoggatt, Planning Services Manager

Logan Hubble, Planner I

Roné Tromble, Recording Secretary Elisabeth Muckala, Asst. City Attorney

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Item No. 3, being:

# APPROVAL OF MINUTES OF THE SEPTEMBER 22, 2021 REGULAR MEETING

Brad Worster moved to approve the minutes of the September 22, 2021 Regular Meeting as presented. James Howard seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS

Brad Worster, Curtis McCarty, Patrick Schrank, James Howard

NAYS

None

**ABSENT** 

Andrew Seamans

The motion to approve the September 22, 2021 Board of Adjustment Regular Meeting Minutes as presented passed by a vote of 4-0.

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Item No. 4, being:

BOA-2122-6 – MEREDITH AND AARON BURT REQUEST A VARIANCE TO 22:422.5(3)(E)(1) TO ALLOW AN ADDITION TO AN EXISTING HOUSE ON A NON-CONFORMING LOT (APPROXIMATELY 3,500 SQ. FT.) LOCATED AT 914 N. CRAWFORD AVENUE.

## ITEMS SUBMITTED FOR THE RECORD:

- Staff Report
- 2. Location Map
- 3. Application with Attachments
- 4. Site Plan

## PRESENTATION BY STAFF:

- 1. Logan Hubble reviewed the staff report, a copy of which is filed with the minutes.
- 2. Mr. McCarty I know we received a hand drawing. Have we received an actual survey of the property to confirm that this drawing is accurate?
- Mr. Hubble No. Been basing it off of what we have in maps, but not a survey.
- Mr. McCarty In maps, what they had drawn here with the current layout, the distance of the lots and such is correct, to your knowledge?
- Mr. Hubble Yeah. There were some discrepancies to what we had. We did have to edit the map in the last couple of days just to make sure we have the dimensions of the lot correct.
- Mr. McCarty Do we know what the setback is at the front.
- Mr. Hubble It should be 25; I think they're right at it. I remember they were meeting all of the setbacks.
- Mr. McCarty I don't have a plat of the platted lot presented to us, so I wasn't sure if this was accurate or not, for me to make a good decision on this. But you think it is 25'? Mr. Hubble Yeah.
- Mr. McCarty You did verify that all these dimensions are correct.
- Mr. Hubble Right.
- Mr. McCarty Is this house conforming to the 5' side yard setback?
- Mr. Hubble Yes. What's currently there is, and then the addition will be, as well.

## PRESENTATION BY THE APPLICANT:

- 1. Meredith and Aaron Burt, the applicants, were available to answer questions.
- 2. Mr. Schrank I have a question regarding parking. I saw that it looks like there's maybe one spot in the front that's not paved. So what's the plan for the parking on the site.
- Ms. Burt If the proposal is approved, there's still sufficient space along the back to add more parking. You can see that there's a driveway kind of shared between the homes back there that's already used as kind of a road in between.
- Mr. Schrank Off the alleyway?
- Ms. Burt An alleyway, yes.
- Mr. Burt I think from our standpoint, we're not going to change the front elevation, so it

would be like invisible to most people. The alleyway is where you'd see it. We're doing a full gut remodel anyway on the interior of the house, so it should bring everything up to current codes, including the addition, and that includes setbacks. Then I guess the other concern is does it meet the building coverage ratios of 40%, and it does. I think it's only at 33% of the lot size.

3. Mr. McCarty – Those are some of my questions. Typically, when we see these, we get to see a site survey – like an actual survey of the property, so we can make sure that what we're seeing is accurate. That was one of the questions, is what's the ratio coverage of the house and the lot? Of course, to do this, I suppose you're going to have to turn it in for a building permit and will have to provide all that at some point. But you feel the house is less than 40%?

Mr. Burt – Yeah. The current lot size is 3,500 square feet, and the current house is 914 square feet, I think, and we're going to add on about 320 square feet. That would put it at 1,234 square feet – almost 1,300 square feet – 1,300 divided by 3,500 is somewhere around 33-35%.

Mr. McCarty – And with the concrete areas, and the porches and patios, it'll be under the 65%?

Mr. Burt - It still will.

Ms. Burt – The front patio/porch isn't going to change. The back is not really going to change from what's already there; it's just going to be moved back a little bit, but it will be the same size of back patio.

4. Mr. Schrank – Is there a plan to pave the front drive? Is it paved? It didn't look like it.

Mr. Burt – It's not paved now. I don't know Norman as well, but if that counts against the drainage ratio, then we won't pave it; we'll just remain gravel. Now, if they want some sort of site improvement, we're happy to do that, too.

5. Mr. McCarty – That's another question, maybe for staff, is if they can do gravel. If you do improvements, I thought you couldn't do gravel any longer, and gravel is considered an impervious surface.

Mr. Burt – Well, gravel is the existing surface, so this change wouldn't require an update to the driveway per se, I think.

Mr. McCarty – But what are you planning to do about the drive? We don't have your driveway layout. We don't have anything that shows us what the improvements will be for parking. You're adding another bedroom and another bathroom, which usually more people are going to live there, typically.

Mr. Burt – We're going to keep it a single family home. This is the intent – three bedroom, two bath, instead of two bedroom, one bath. It's unclear to me whether a three bedroom, two bath requires two parking spots. I think there's plenty of houses that have three bedroom, two bath and one driveway or garage. I don't have an answer for that. I think it's a fair question.

6. Mr. McCarty – Is this something you all plan to occupy?

Ms. Burt – No, we are going to rent it.

- 7. Mr. Worster I just did the math and the lot itself is 3,500 feet, according to the deed. At least that part is clear. Then I'm assuming all of the other ratios will be covered at the time they make a building permit, so all we're looking at is can they build on a 3,500 square foot lot, which already has a property on it. I think it comes up to 1,400 square feet allowed at 40%. So if they're at 1,300 I think it's fine.
- 8. Mr. Howard I would agree the germane issue right now is whether or not they can built on that lot that is undersized historically undersized lot.
- 9. Ms. Muckala I just want to clarify for the record, of course, as you've already said, this is a variance only on being allowed to build on this lot, so when they do bring their building permit, your finding on this could in no way be construed to be a permission to go beyond the pervious or impervious allowances, the coverage allowances. Of course, you want to know that information. But I just want everyone to be clear on the record. That still applies.

### **AUDIENCE PARTICIPATION:**

None

## DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

James Howard moved to approve the Variance as requested in BOA-2122-6. Brad Worster seconded the motion.

- 1. Mr. Worster Generally speaking, I'm a fan more of infill especially in some neighborhoods that could use a renovated house. I would recommend a survey. I would be concerned about the utilities there.
- 2. Mr. Schrank Just because it's a small lot, especially if it's going to be a rental, there's going to be at least one car, possibly two. Where are they going to park? I don't think this street has curb and gutter. It concerns me a little bit about adding density and where we're going to park cars. I know that's kind of an old thinking, but it's our reality right now. I think that's my only concern on the smaller lot.
- 3. Mr. Howard To address your concern, studies show that streets that have lots of cars parked on them are actually safer. It slows people down.
- 4. Mr. Schrank Is Crawford a no park on either side? Does anyone know? Mr. Burt There's plenty of cars parked on it.
- 5. Mr. Worster Is that alley paved?

There being no further discussion, a vote was taken with the following result:

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YEAS Brad Worster, Curtis McCarty, Patrick Schrank, James Howard

NAYS None

ABSENT Andrew Seamans

The motion, to approve the Variance as requested, passed by a vote of 4-0.

Mr. McCarty noted the 10-day appeal period before the decision is considered final.

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Item No. 5, being:

## MISCELLANEOUS COMMENTS OF THE BOARD OF ADJUSTMENT AND STAFF

Ms. Tromble noted that the next meeting will be December 1 to accommodate the Thanksgiving holidays.

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Item No. 6, being:

## **ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 4:46 p.m.

PASSED and ADOPTED this 1st day of December, 2021.

Board of Adjustment